

Manual Ramos
37563-053
U.S. Penitentiary
P.O. BOX 7000
Florence, CO. 81226

ORIGINAL

19
5/1/02
vby

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MANUAL RAMOS,
Plaintiff

V.

Margaret Harden,
Dr. McGlori,
Dr. Maximo R. Velasco, Jr.,
Dr. Anthony Bussanich, and
Dr. Peter J. Terhaar

Civil No. CV-00-1957

Aug 7. Inyae

FILED
HARRISBURG, PA

APR 30 2002

MOTION TO BE TRANSFERRED TO THE MIDDLE DISTRICT
OF PENNSYLVANIA AND FOR APPOINTMENT OF COUNSEL

MARY E. D'ANDREA, CLERK
Per 9/15
Deputy Clerk

COMES NOW, MANUAL RAMOS, through his friend Paul Free, (inmate # 42235-198) to ask this court to order the Bureau of Prisons (BOP) to transfer plaintiff Ramos from USP Florence, Colorado to within the Middle District of Pennsylvania and to appoint counsel in the interest of justice.

Mr. Ramos can neither read nor write English. He has received in the mail a list of forty-one (41) interrogatories, most containing numerous sub-parts (as many as 10 questions per numbered interrogatory) from one of the defendants (Terhaar) and needs the assistance of professional counsel to answer them. Further, Defendant Terhaar has, through Rule 34, demanded that Ramos produce documents "at the law offices of Saba, Endler, and Associates...on Monday, May 20, 2002 at 10:00 a.m." Clearly, Mr. Ramos, being an incarcerated inmate, and in Colorado, can not do the things an attorney could. Ramos does not have access to the documents.

to the requested documents but an appointed attorney could.

It is therefore absolutely necessary that Ramos be transferred as soon as possible to an institution within the Middle District of Pennsylvania so he can assist in the prosecution of this case and be appointed counsel.

There is a Constitutional right to be present during all critical stages of a trial. **Rushen v. Spain**, 464 U.S. 114, 117, 104 S.Ct. 453, 78 L.Ed.2d 267 (1983) (per curium). Plaintiff submits that these pre-trial proceedings are critical stages of the proceedings requiring his presence as close as possible to the courthouse and the appointment of counsel. As stated above, Mr. Ramos does not read nor write English so he requests that an attorney be appointed who is familiar with Civil law and who also speaks Spanish. (Mr. Ramos is a citizen of Colombia).

Respectfully submitted under penalty of perjury and signed this twenty-fifth day of April in the year 2002.

M. RAMOS - 37563-053

Miguel Ramos

Paul Free 04/25/2002

Paul Free #42235-198